

UNITED STATES BANKRUPTCY COURT  
SOUTHERN DISTRICT OF NEW YORK

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Chapter 11

In re:

Case No: 16- 22881 (RDD)

**SPARTAN SPECIALTY FINANCE I SPV,  
LLC,**

Debtor.

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**ORDER APPROVING STIPULATION AND  
AGREEMENT RESOLVING, AMONG OTHER THINGS, DEBTOR'S MOTION FOR  
USE OF CASH COLLATERAL AND FIXING AMOUNT OF SECURED CLAIM**

Upon the motion [Dkt. No. 59] (the "Motion") of the debtor and debtor in possession herein, Spartan Specialty Finance I SPV, LLC (the "Debtor"), for an order pursuant to 11 U.S.C. § 363 and Fed. R. Bankr. Rule 9019 approving a Stipulation and Agreement Resolving Debtor's Motion for Use of Cash Collateral and Fixing Amount of Secured Claim, a copy of which is attached as an Exhibit hereto (the "Settlement") between the Debtor, Hamilton Funding 1 LP, and Barry Kostiner, individually; and there being due and sufficient notice of the Motion; and upon the objection of Fund Recovery Services, LLC ("FRS"); and and upon the record of the hearing held by the Court on the Motion on May 19, 2017; and, after due deliberation, the Court having found and concluded that the Settlement is fair and reasonable, a proper exercise of the Debtor's judgment and in the best interests of the Debtor's estate and creditors; and no additional notice or hearing being required; and good and sufficient cause appearing, it is hereby

**ORDERED**, that the Motion is granted as provided herein, the Settlement is approved, and the Debtor is authorized to perform it according to its terms; and it is further

**ORDERED** that, in approving the Settlement, the Court makes no findings or determination regarding FRS' rights or interest in consumer loans and the proceeds thereof that

are a subject of the Settlement, and this Order is without prejudice to any claim FRS may assert in another forum with respect to any such rights or interest or to all other parties' rights and defenses with respect to any such claim.

**DATED:** White Plains, New York  
May 26, 2017

/s/Robert D. Drain

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**HONORABLE ROBERT D. DRAIN**  
**UNITED STATES BANKRUPTCY JUDGE**

